

United States Bankruptcy Court  
Middle District of Pennsylvania

In re:  
Yajaira Ferreira  
Debtor

Case No. 19-01134-RNO  
Chapter 7

**CERTIFICATE OF NOTICE**

District/off: 0314-5

User: LyndseyPr  
Form ID: pdf010

Page 1 of 1  
Total Noticed: 2

Date Rcvd: Aug 21, 2019

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Aug 23, 2019.

db #+Yajaira Ferreira, 408 Norton Road, Stroudsburg, PA 18360-9108  
cr +Invictus Residential Pooler L.P., et al., c/o Shellpoint Mortgage Servicing, P.O. Box 10826,  
Greenville, SC 29603-0826

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.  
NONE. TOTAL: 0

\*\*\*\*\* BYPASSED RECIPIENTS \*\*\*\*\*

NONE. TOTAL: 0

Addresses marked '+' were corrected by inserting the ZIP or replacing an incorrect ZIP.  
USPS regulations require that automation-compatible mail display the correct ZIP.

Transmission times for electronic delivery are Eastern Time zone.

Addresses marked '#' were identified by the USPS National Change of Address system as requiring an update.  
While the notice was still deliverable, the notice recipient was advised to update its address with the court immediately.

**I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.**

**Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.**

Date: Aug 23, 2019

Signature: /s/Joseph Speetjens

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**CM/ECF NOTICE OF ELECTRONIC FILING**

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on August 21, 2019 at the address(es) listed below:

Anne K. Fiorenza on behalf of Asst. U.S. Trustee United States Trustee  
Anne.Fiorenza@usdoj.gov, ustpregion03.ha.ecf@usdoj.gov  
James Warmbrodt on behalf of Creditor PNC BANK NATIONAL ASSOCIATION bkgroup@kmlawgroup.com  
John J Martin (Trustee) pa36@ecfcbis.com, trusteeemartin@martin-law.net  
John J. Martin on behalf of Trustee John J Martin (Trustee) jmartin@martin-law.net,  
kmartin@martin-law.net;nmundy@martin-law.net;jjmartin@martin-law.net;jashley@martin-law.net;r5989  
l@notify.bestcase.com  
Michael Joshua Shavel on behalf of Creditor Invictus Residential Pooler L.P., et al.  
mshavel@hillwallack.com, lcampbell@hillwallack.com  
Scott M. Amori on behalf of Debtor 1 Yajaira Ferreira afr@epix.net,  
smamori@amoriandassociates.com  
United States Trustee ustpregion03.ha.ecf@usdoj.gov

TOTAL: 7

IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

IN RE: :  
YAJAIA FERREIRA, : 5-19-01134-RNO  
 :  
DEBTOR(S) : CHAPTER 7

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JOHN J. MARTIN, CHAPTER 7 :  
TRUSTEE FOR THE ESTATE OF :  
YAJAIA FERREIRA, :  
 :  
MOVANT, :  
 :  
VS. :  
 :  
INVICTUS RESIDENTIAL POOLER L.P., NOT :  
IN ITS INDIVIDUAL CAPACITY BUT SOLEY :  
AS ADMINISTRATOR FOR INVICTUS :  
RESIDENTIAL POOLER TRUST 1A/2A C/O :  
SHELL POINT MORTGAGE SERVICING, :  
 :  
RESPONDENT. :

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**ORDER GRANTING CHAPTER 7 TRUSTEE'S MOTION SEEKING  
AUTHORITY TO SELL REAL PROPERTY OF THE ESTATE  
FREE AND CLEAR OF LIENS AND ENCUMBRANCES  
(408 NORTON ROAD, STROUDSBURG, PA)**

**Upon** consideration of the Chapter 7 Trustee's Motion to Sell Real Property of the Estate Free and Clear of Liens and Encumbrances, the Stipulation Resolving Debtor's Amended Limited Objection and after notice to all creditors and parties-in-interest entitled to notice, it is hereby

**ORDERED AND DECREED**

- i) That the Motion is hereby **GRANTED**; and
- ii) That the Trustee shall be authorized to sell the real property located at located 408 Norton Road, Stroudsburg, County of Monroe, Commonwealth of

Pennsylvania, (Tax Map No. 17730003131080), as reflected in the deed recorded in Monroe County Record Book 2460 at Page 816 ("Property") to Fabian Seenarraine, a non-insider of the Debtor, for the sum of Two Hundred Ninety-Nine Thousand Dollars (\$299,000.00); and

- iii) That the Trustee shall be authorized to execute any and all documents necessary to consummate the subject sale, including a Trustee's Deed on behalf of the Estate, conveying title of the subject property to the buyer and to distribute the sale proceeds as set forth in the Motion; and
- iv) That the Trustee shall be authorized to The Trustee proposes to distribute the proceeds as follows:
  - a. Any out-of-pocket expenses advanced by or on behalf of Trustee or any closing agent in connection with the sale of the Property, including any payments for insurance related to the Property, and which have not been reimbursed at the time of settlement; then to
  - b. Any notarization, document preparation, mail or wire fees, and/or incidental recording fees associated with the sale of the above property; then to
  - c. Any transfer tax which is the responsibility of the Seller; then to
  - d. Any real estate taxes or other municipal liens that are the responsibility of the Seller; then to
  - e. A realtors' commission in the amount of 6% of the gross sale price; then to
  - f. the bankruptcy estate an amount equal to the total allowed trustee commission under 11 U.S.C. §326 of the Code based upon the gross sale

price payable to the bankruptcy estate for the payment of trustee

commission, but not to exceed \$17,000.00; then to

g. the sum of \$2,000.00 to the bankruptcy estate for Trustee's counsel

fees to be paid at time of closing; then to

h. the sum \$11,960.00 (4% of the gross sale price) to the bankruptcy

estate; then to

i. the allowed secured claim of Respondent, **but in no instance less than**

**\$250,074.00**; then the balance, if any,

j. to the lienholders and creditors in their order of priority according to the

United States Bankruptcy Code and applicable state law.

v) The Court finds that the Trustee's sale is being made in "good faith" and this is a Final Order not subject to the fourteen (14) day stay under Bankruptcy Rule 6004(h).

Dated: August 20, 2019

By the Court,



Robert N. Opel, II, Chief Bankruptcy Judge <sup>(BI)</sup>